

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

18-cr-0781 (LAK)

JEFFERSON SANCHEZ,

Defendant.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

Movant was convicted in this case in 2019 on his plea of guilty of conspiracy to steal public funds and two counts of filing false tax returns and sentenced principally to terms of imprisonment of 24 months on each count, the terms to run concurrently. He then was convicted before Chief Judge Swain in 2021 of bail jumping and sentenced principally to a term of imprisonment of 5 months to be served consecutively to the term imposed in this case.

On March 22, 2022, defendant moved before Judge Swain for compassionate release in 21-cr-97. Judge Swain denied the motion without prejudice on March 28, 2022 for failure to exhaust administrative remedies. Dkts. 34 & 35. On May 19, 2022, defendant by letter renewed his motion before Judge Swain, claiming that he had exhausted administrative remedies. Dkt. 38. That motion is pending.


Meanwhile, on April 25, 2022, movant applied in this case for compassionate release, principally though not entirely on the basis of his concerns about possible infection or reinfection with COVID-19. Dkt. 73. This motion asks that I consider the papers he filed in support of his original motion before Judge Swain and decide the present motion in this case on the basis of those papers. I will do so. But the original motion before Judge Swain was dated over four months ago. I have no current information concerning COVID conditions at Fort Dix, where the defendant appears now to be housed, or about his present medical circumstances.

Judge Swain has instructed the government to respond to defendant's motion by June 14, 2022. The United States Attorney shall respond also to the motion before me, which turns on the original motion filed before Chief Judge Swain, on or before June 16, 2022.

The Clerk shall mail a copy of this order to the defendant and so note on the docket.

SO ORDERED.

Dated: June 6, 2022



Lewis A. Kaplan
United States District Judge